### Holocaust Denial PIC

#### Counterplan: Public colleges and universities in the United States ought not restrict any constitutionally protected speech except for holocaust denial.

#### Holocaust denial is protected on campus – this allows for the delegitimization of the experience of the holocaust within universities.

Feinstein 94 Stephen C. Feinstein (Former Professor Emeritus at University of Wisconsin River Falls) “Shofar.” Shofar, vol. 13, no. 1. 1994. Pp. 157-159. www.jstor.org/stable/42942076

The recent stir of negative opinion and the theft of campus newspapers at Brandeis University because of the placement of a Holocaust denial advertisement by Bradley Smith suggests the heights that Holocaust deniers have achieved. Deborah Lipstadt has provided in this work an understanding of how Holocaust denial has prospered in recent years, particularly through misguided arguments of freedom of speech. This is an important work, as the debate about how to deal with Holocaust denial is one that does not engage merely students, but faculty members as well. While Holocaust deniers may be dismissed as group of antisemites, it is not enough, in the eyes of the author and a growing segment of American academia, to simply permit such people to run a free course, particularly in a university environment. Holocaust denial is not a question of opinion, but an issue which focuses on denial of facts in the interest of delegitimizing the event and its consequences, particularly the existence of Israel. Denial prospers because of the new generation of history illiterates, even in good universities, and the belief that debate of the facts is somehow freedom of expression.

#### Holocaust denial and the ideologies behind it are essential to the propagation of modern day genocide—to deny history is to repeat its mistakes.

Brackman ’07 HOLOCAUST DENIAL’S ASSAULT ON MEMORY: PRECURSOR TO TWENTY-FIRST CENTURY GENOCIDE? by Dr. Harold Brackman and Aaron Breitbart edited and Preface by Rabbi Abraham Cooper https://www.phdn.org/archives/2007-Brackman\_Breitbart-Holocaust\_Denial\_s\_Assault\_on\_Memory.pdf

The American humorist Mark Twain once wrote, “A lie can travel halfway around the world while the truth is putting on its shoes.” Thanks to today’s new communications technologies, including the Internet, conspiratorial‘ Big Lies’ span the whole globe in an instant before anybody can respond. Deniers’ also skillfully tailor their message to exploit the divergent ideologies and politics in a polarized world. However it is packaged and in whatever language or technology it is delivered, the powerful imagery of these deceitful web of lies remains the same: the Jews were not killed in gas chambers, there was no systematic attempt to annihilate European Jewry, millions of Jews did not die, and that the Holocaust is a myth invented by Allied propagandists. The global reach of Holocaust Denial extends as far as Japan where extreme nationalists use antisemitic conspiracy theories to argue that—just like Hitler and the Nazis—Tojo and the Japanese military were innocent of crimes against humanity during World War II. Still, the main center of Holocaust Deniers is not East Asia but Europe. The mordant observation has been made that Europe killed its Jews during World War II—and will never forgive them for it.” In Europe, denying or minimizing the Holocaust has become the continent-wide common language of Neo-Nazis and extreme right-wing nationalists—from France’s Jean Marie Le Pen, to Austria’s Jörg Haider, to Russia’s Vladimir Zhirinovsky. Despite all the resources invested in Holocaust education by “the new Germany,” German public opinion polls show an increasing desire to forget about Hitler’s crimes while a new generation of intellectuals and politicians are rewriting the history of the 1940s to make German civilians who died as a consequence of wartime bombings or postwar population transfers as “the real victims” of World War II—rather than the Jews systematically targeted for mass murder. Equally troubling, the discourse of Holocaust Denial and minimization in Europe as well as the United States is no longer a right-wing monopoly of rabid antisemites and religious fanatics like the Christian Identity Movement. Some leftwing champions of the Palestinian cause have crossed the fateful line from legitimate criticism of Israel to portraying the Israelis as “the new Nazis” and demonizing the Jewish state and its supporters abroad as part of an international “Zionist conspiracy.” The ultimate descent into madness and malice is the accusation that “the Zionists” actually worked with the Nazis in order to manufacture “the Holocaust hoax” as a propaganda weapon to displace the Palestinians in the post-World War II Mideast. This conspiratorial libel is a crime against history that in no way advances the legitimate national aspirations of Palestinians. So it should surprise no one that Mideast-centric Holocaust Denial also increasingly resonates among Europe’s growing Muslim minority populations—from Paris’ banlieus, to London’s mosques, and extending even to American college campuses. Too many Arab and Muslim newcomers to the Western world bring Holocaust-denying antisemitism with them as part of their cultural baggage. They absorb it from the surrounding non-Muslim political culture. And they have it further reinforced by a “blowback” Holocaust Denial circuit linking Europe and the U.S. with Mideast countries—preeminently Iran, but also Egypt, Saudi Arabia, and the Palestinian Authority. The First World War exploded in Europe’s unstable Balkans. The Third World War— which some argue has already begun—seems certain to explode, if it occurs at all, in the Mideast cauldron of religious and ethnic animosities. The Mideast forces hoping to ignite such a global Armageddon all rely on Holocaust Denial as part of their ideological arsenal. They falsify the history of World War II and the Nazi Holocaust to attack, not just Israel, but the Western world including capitalism, democracy, liberalism, and secularism. By re-exporting this hateful ideology from the Mideast back to Europe and North America where it originated, Arab and Muslim Holocaust Deniers are weakening the pluralist fabric of western democracy upon which the future prospects of immigrant communities depend. For even as they mock the martyrdom and suffering of others, Mideast Holocaust Deniers demand that the world accept that they have sole claim to global “victim status,” while scapegoating Europe and the U.S. as villains responsible for all their ills. CONCLUSION: WHY IT MATTERS Some intellectual follies are perverse fun. As early as 1827, a Frenchman argued that Napoleon never existed. Elvis, on the other hand, lives eternal. The Flat Earth Society— headquartered in California, within shouting distance of the Holocaust denying Institute for Historical Review—assures us that it can “prove the earth is flat by experiment, demonstrated and demonstrable. “Earth Flat is a Fact not a Theory. Australians do not hang by their feet under the world.” Like the Flat Earthers, the Deniers do “experiments” to prove their “facts” debunking the Holocaust. The difference is that the intent and results of Holocaust Denial are wholly pernicious. From the United Kingdom to Egypt and Iran, Holocaust Denial is like an elephant in the living room, allowed to rampage at the cost of rationality by those who would rather ignore it than speak up for increasingly exposed Jewish citizens and Israel—the “Jew” among the nations. Holocaust Denial is an assault on the experiences and suffering of older generations— especially, against the integrity of Survivors who are still with us. Holocaust Denial is a threat to the education of younger generations. In the 1990s, 38 percent of U.S. adults and 53 percent of high school students either “didn’t know” or incorrectly explained what was meant by “the Holocaust.” The Deniers seek to transform this knowledge deficit into perverse—and, potentially, deadly—ignorance about history. Holocaust Denial is an ideological arsenal for twenty-first century mass murderers. Those who deny the Holocaust are deconstructing humanity’s collective Memory to pave the way for new genocides, for more Darfurs. We ignore the ominous implications at peril to our future. As Ron Rosenbaum puts it, “I wish I could regard Holocaust Denial as merely a bad joke, a parody of an anti-Semitic theory. . . . Should we consider Hitler’s genocidal Final Solution the final step on a ladder down into the abyss, or just the latest step. And if the latter, what might the next step be?”

#### A middle ground where we permit the free open debate on holocaust existence is toxic and counterproductive—It’s a path to holocaust downsizing and acceptance that makes violent action inevitable.

Cohen-Almagor ’09 HOLOCAUST DENIAL IS A FORM OF HATE SPEECH Raphael Cohen-Almagor http://amsterdamlawforum.org/article/view/105/188 2009

Thus, those who deny the Holocaust are anti-Jewish. It is demeaning to deny the Holocaust for it is to deny history, reality, and suffering. Holocaust denial might create a climate of xenophobia that is detrimental to democracy. It generates hate through the rewriting of history in a vicious way that portrays Jews as the anti-Christ, as destructive forces that work against civilisation. Hateful messages desensitise members of the public on very important issues. They build a sense of possible acceptability of hate and resentment of the other which might be more costly than the cost of curtailing speech. Hate speech, in its various forms, is harmful not only because it offends but because it potentially silences the members of target groups and interferes with their right to equal respect and treatment. Hateful remarks are so hurtful that they might reduce the target group member to speechlessness or shock them into silence. The notion of silencing and inequality suggests great injury, emotional upset, fear and insecurity that target group members might experience. Hate might undermine the individual’s self-esteem and standing in the community.[16](http://amsterdamlawforum.org/article/view/105/188" \l "sdendnote17sym) Furthermore, such free speech might lead to physical harm. Hate speech might lead to hate crimes. Hate sites can endanger human life by containing information on how to perform acts of terrorism, serving as recruiting fronts for terrorist organisations, or inciting violence.[17](http://amsterdamlawforum.org/article/view/105/188" \l "sdendnote18sym) Consider, for instance, the National Socialist Movement (NSM) site.[18](http://amsterdamlawforum.org/article/view/105/188" \l "sdendnote19sym) Inspired by Hitler, NSM directed hatred toward a variety of persons on its website. As part of its belief in the supremacy of the white race, NSM expressed a hatred for all nonwhites, disparagingly referred to as ‘muds’. Not only did NSM regard all nonwhites as being inferior to whites, the group suggested that they should not be allowed to migrate to, or remain living in, the USA. Indeed, the group went so far as to state that all nonwhites should be murdered at one point on its site. While most of NSM’s hatred for nonwhites was directed at blacks living in the USA, the group also made disparaging comments about people of colour from Mexico, China, India, Sri Lanka, and all of Asia and Africa.[19](http://amsterdamlawforum.org/article/view/105/188" \l "sdendnote20sym) Extremely pro-Christian, NSM also expressed animosity toward Muslims and Jews. The group indicated its belief that Muslims pose a threat to the security of various Western countries, such as the United Kingdom. NSM directed most of its hatred against Jews, in particular Israeli and American Jews. The group stated that it believes Jews are generally dishonest and murderous persons who work tirelessly to destroy white Christians around the world and in the USA in particular. NSM claimed that Jews invented the Holocaust as a means of generating sympathy and stifling legitimate criticisms of their actions. The group also alleged that Jews are a generally murderous people, claiming that Jews helped cause, had prior knowledge of, and were pleased by 9/11. The group went so far as to state that all Jews should be killed, and provided links to pro-Nazi, anti-Jew, anti-Israel, and Holocaust denial websites. The impact of such cruel websites should not be ignored or underestimated. Benjamin Smith and Richard Baumhammers are two Aryan supremacists who in 1999 and 2000 respectively went on racially motivated shooting sprees after being exposed to Internet racial propaganda. Smith regularly visited the World Church of the Creator website, a notorious racist and hateful organisation.[21](http://amsterdamlawforum.org/article/view/105/188" \l "sdendnote22sym) He said: “It wasn’t really ‘til I got on the Internet, read some literature of these groups that… it really all came together.” He maintained: “It’s a slow, gradual process to become racially conscious.”[22](http://amsterdamlawforum.org/article/view/105/188" \l "sdendnote23sym) Rabbi Abraham Cooper of the Wiesenthal Center argued that the Internet provided the theological justification for torching synagogues in Sacramento and the pseudo-intellectual basis for violent hate attacks in Illinois and Indiana.[23](http://amsterdamlawforum.org/article/view/105/188" \l "sdendnote24sym) On June 10, 2009, James von Brunn entered the U.S. Holocaust Memorial Museum in Washington DC and opened fire, killing Security Guard Stephen Tyrone Johns before he was stopped by other security guards. Von Brunn, a white supremacist anti-Semite, spewed hate online for decades. He ran a hate website called holywesternempire.org and had a long history of associations with prominent neo-Nazis and Holocaust deniers. For a period of time, he was employed by Noontide Press, a part of the Holocaust denying Institute of Historical Review, which was then run by Willis Carto, one of America’s most prominent anti-Semites.[24](http://amsterdamlawforum.org/article/view/105/188" \l "sdendnote25sym) In his self-published book, *Kill the Best Gentiles*, von Brunn railed against a Jewish conspiracy to destroy the white gene pool, offering a plan to remove ‘the cancer from our Cultural Organism’.[25](http://amsterdamlawforum.org/article/view/105/188" \l "sdendnote26sym) A raging anti-Semite, von Brunn blames ‘The Jews’ for the destruction of the West. I don’t intend to quote in length from this hateful long tract. Suffice is to say that Jews, according to von Brunn, belong to “a dark and repulsive force”. The Jews “are a nefarious and perverse sect”. “Satan has prevailed upon them”.[26](http://amsterdamlawforum.org/article/view/105/188" \l "sdendnote27sym) Among their many conspiracies that aim to gain control over the world was the invention of the Holocaust. Von Brunn dedicates a whole chapter (6) of his book to The ‘Holocaust Hoax’. He writes in his distinct style, with capital letters, that “THERE WAS NO POLICY TO MASS MURDER JEWS. NO ORDER WAS GIVEN TO MASS MURDER JEWS. THERE WAS NO BUDGET TO CARRY OUT SUCH A POLICY. THERE WERE NO MEANS (GAS CHAMBERS, etc.) TO CARRY OUT MASS MURDERS”. And: “Revisionist Historians have concluded that a total of about 300-thousand JEWS died of ‘all causes’ during WWII.” [27](http://amsterdamlawforum.org/article/view/105/188" \l "sdendnote28sym) On June 10, 2009, this angry, 88 year-old man, possessed with hatred, decided to wage an attack on the Holocaust Museum. He was not interested to visit the museum and to see the thousands of documents that reveal the magnitude of the horror. Von Brunn was beyond the point of deliberation, exchanging of ideas, speech. He was boiling inside with poisonous rage. In his mind, it was time for violent action and the most appropriate place for the shooting was the museum that served the greatest hoax of all time. **III. Historical and Cultural Context** The historical and cultural context is obviously of great significance. Propagating Holocaust denial in Zimbabwe is quite different from propagating this idea in Israel. We can assume that Jews will hardly be persuaded by such propaganda. Israeli authorities forbid it because it is considered highly offensive, especially to Holocaust survivors. Section 2 of the Denial of Holocaust (Prohibition) Law, 5746-1986 prescribes: “A person who, in writing or by word of mouth, publishes any statement denying or diminishing the proportions of acts committed in the period of the Nazi regime, which are crimes against the Jewish people or crimes against humanity, with intent to defend the perpetrators of those acts or to express sympathy or identification with them, shall be liable to imprisonment for a term of five years”.[28](http://amsterdamlawforum.org/article/view/105/188" \l "sdendnote29sym) Twelve European countries also made Holocaust denial illegal. Germany prohibits Holocaust denial due to its sensitivity to the horrors of the Nazi era. In 1994, it passed a law making Holocaust revisionism, in and of itself, a criminal offence. The German Constitutional Court ruled that freedom of speech was not a defense available to groups propagating the ‘Auschwitz lie’.[29](http://amsterdamlawforum.org/article/view/105/188" \l "sdendnote30sym) In 1995, a Berlin state court convicted a leader of Germany’s neo-nazi movement for spreading racial hatred and denigrating the state by telling people visiting the Auschwitz concentration camp that the Holocaust was a fiction.[30](http://amsterdamlawforum.org/article/view/105/188" \l "sdendnote31sym)France, another country that is highly sensitive to WWII, passed the Gayssot law (named after French MP J. C. Gayssot) in 1990. The law punishes by heavy fines or imprisonment any “public expression of denial of the Genocide perpetrated on the Jews by the Nazis during WWII.” This law was used to condemn the infamous denial academic, Robert Faurisson,[31](http://amsterdamlawforum.org/article/view/105/188" \l "sdendnote32sym) as well as some of his followers, notably the philosopher Roger Garaudy, in 1999.[32](http://amsterdamlawforum.org/article/view/105/188" \l "sdendnote33sym) In February 2006, British historian David Irving was found guilty in Vienna of denying the Holocaust of European Jewry and sentenced to three years in prison in accordance with the Austrian Federal Law on the prohibition of National Socialist activities (article 3h of the Verbotsgesetz, ‘Prohibition Statute’, 1947). Irving denied the existence of gas chambers in National Socialist concentration camps in several lectures held in Austria in 1989. Under the State Treaty of 1955 for the Re-establishment of an Independent and Democratic Austria, which Austria concluded with France, the United Kingdom, the USA and the USSR, Austria undertakes to prevent all Nazi propaganda. The Prohibition Statute forms part of the Austrian Constitution.[33](http://amsterdamlawforum.org/article/view/105/188" \l "sdendnote34sym) Other countries that made Holocaust denial illegal are: [Belgium](http://en.wikipedia.org/wiki/Belgium) ([Belgian Negationism Law](http://en.wikipedia.org/wiki/Belgian_Negationism_Law)), the [Czech Republic](http://en.wikipedia.org/wiki/Czech_Republic), Liechtenstein, [Lithuania](http://en.wikipedia.org/wiki/Lithuania), Poland, Portugal, [Romania](http://en.wikipedia.org/wiki/Romania), [Slovakia](http://en.wikipedia.org/wiki/Slovakia), and [Switzerland](http://en.wikipedia.org/wiki/Switzerland) (article 261bis of the Penal Code). Many of these countries also have broader laws against libel or inciting racial hatred. While I see the need to legislate such a law in Israel, Germany and countries that aided the Nazis in the execution of the Holocaust, I am not convinced that the legal path is the right path to pursue in all places. In any event, legislation should be supported by backbones of socialisation processes. Legislation should not be enacted at the expense of such processes. Law should never be a shortcut for solving problems. It is the last resort, never the first, certainly not the only. Thus, I would like to see countries investing efforts in the powerful tools of education and legitimisation (or rather de-legitimisation). The Holocaust should be taught at all high schools across the world, explaining the reasons for that particular phenomenon in history. What brought a civilised country to legislate racist laws and to mobilise state resources for the destruction of certain people, why Germany and other nations did what they did, what brought them to see the Jews the way they did, why was Nazi Germany so successful in their extermination campaign, and how can we avoid the reoccurrence of such abominable actions? Educating people about why anti-Semitism has been part of our lives for so long, why it is so pernicious, and exposing its web of lies and hatred will have a far greater impact than any set of laws that any given country would care to draft. Educational measures should be accompanied by efforts to delegitimise Holocaust denial, denouncing its evil intentions and exposing the true motivations of those who spout such lies. In this context, universal declarations and international resolutions should not be underestimated. Here I would like to mention United NationsResolution 60/7 of November 1, 2005 was reaffirmed by the General Assembly in 2006 (A/61/53 Holocaust denial).Itobserves that remembrance of the Holocaust is critical to prevent further acts of genocide, and that, for this reason, rejects efforts to deny the Holocaust, which by ignoring the historical fact of those terrible events increases the risk they will be repeated. The Resolution noted that all people and States have a vital stake in a world free of genocide, and welcomed the establishment by the Secretary-General of a program of outreach on the subject of “the Holocaust and the United Nations”. It also welcomed the inclusion by Member States within their educational programs of measures to confront attempts to deny or minimise the importance of the Holocaust, The Resolution further condemns without any reservation any denial of the Holocaust, and urges all Member States unreservedly to reject any denial of the Holocaust as a historical event, either in full or in part, or any activities to this end.[34](http://amsterdamlawforum.org/article/view/105/188" \l "sdendnote35sym) The voluntary involvement of the Internet industry is also important in delegitimising Holocaust denial. ISPs and web-hosting companies should strike a balance between freedom of expression on the one hand, and principles of social responsibility on the other. At the very least, responsibility requires of them to adhere to their own terms of service. If their terms of service prohibit the posting of hateful and threatening content, then they should see that such content is not present on their servers. On July 9, 2009 I Googled the term ‘Holocaust’. The search yielded 21,400,000 results. Some of the sites are not about the Holocaust; their aim, instead, is to deny the Holocaust. As the number of Holocaust survivors is becoming smaller and smaller, more people perceive the Holocaust in historical terms, and history is open to many interpretations. People, especially young people, are open to challenge truisms, ask questions, raise concerns, refute and debate. The next generation may hold debates on the Holocaust as today we hold debates on the Armenian genocide/massacre, bringing different voices. Some will confirm there was a Holocaust, other will refute this statement. Young people may grow to think critically about the Holocaust. As some say there was a Holocaust while others say there was not, they might be inclined to think the truth is in the middle. Meaning, there were episodes of mass killings of Jews, but there was no systematic plan to execute all the Jews of the world. Downsizing the Holocaust is most probable. It is also most troubling. Of course, on this issue, the natural logical tendency of seeking the middle ground is fundamentally mistaken. Facebook, which hosts groups like ‘Holocaust: A Series of Lies’ and ‘Holohoax’, YouTube[35](http://amsterdamlawforum.org/article/view/105/188" \l "sdendnote36sym), and other Web-hosting and Internet Service Providers should reconsider their position on Holocaust denial as it often does violate their general terms of service. Don’t keep silent in the face of hate. We learnt that silence is conducive to the spread of hatred and bigotry, and that harmful words might lead to harmful action. There is a direct link between hate speech and hate crimes. Hate messages deserve our full attention. They should be condemned and delegitimised before they create ripe circumstances for murdering the targets of hate.

#### The most important thing under the aff framework is ensuring the Holocaust is treated seriously and legitimately.

Theodor Adorno “Education after Auschwitz” http://josswinn.org/wp-content/uploads/2014/12/AdornoEducation.pdf JW

The premier demand upon all education is that Auschwitz not happen again. Its priority before any other requirement is such that I believe I need not and should not justify it. I cannot understand why it has been given so little concern until now. To justify it would be monstrous in the face of the monstrosity that took place. Yet the fact that one is so barely conscious of this demand and the questions it raises shows that the monstrosity has not penetrated people’s minds deeply, itself a symptom of the continuing potential for its recurrence as far as peoples’ conscious and unconscious is concerned.

### 1NC: Tag Disclosure

#### A. Interpretation: when debaters disclose cards read for positions (including NCs, ACs, Ks, CPs, and DAs), they must disclose the full tag for each piece of evidence.

#### B. Violation: they shorten all the tags of their evidence on the wiki to the point at which they’re incomprehensible—I have screenshots. Listen to how bad and impossible to understand some of them are:

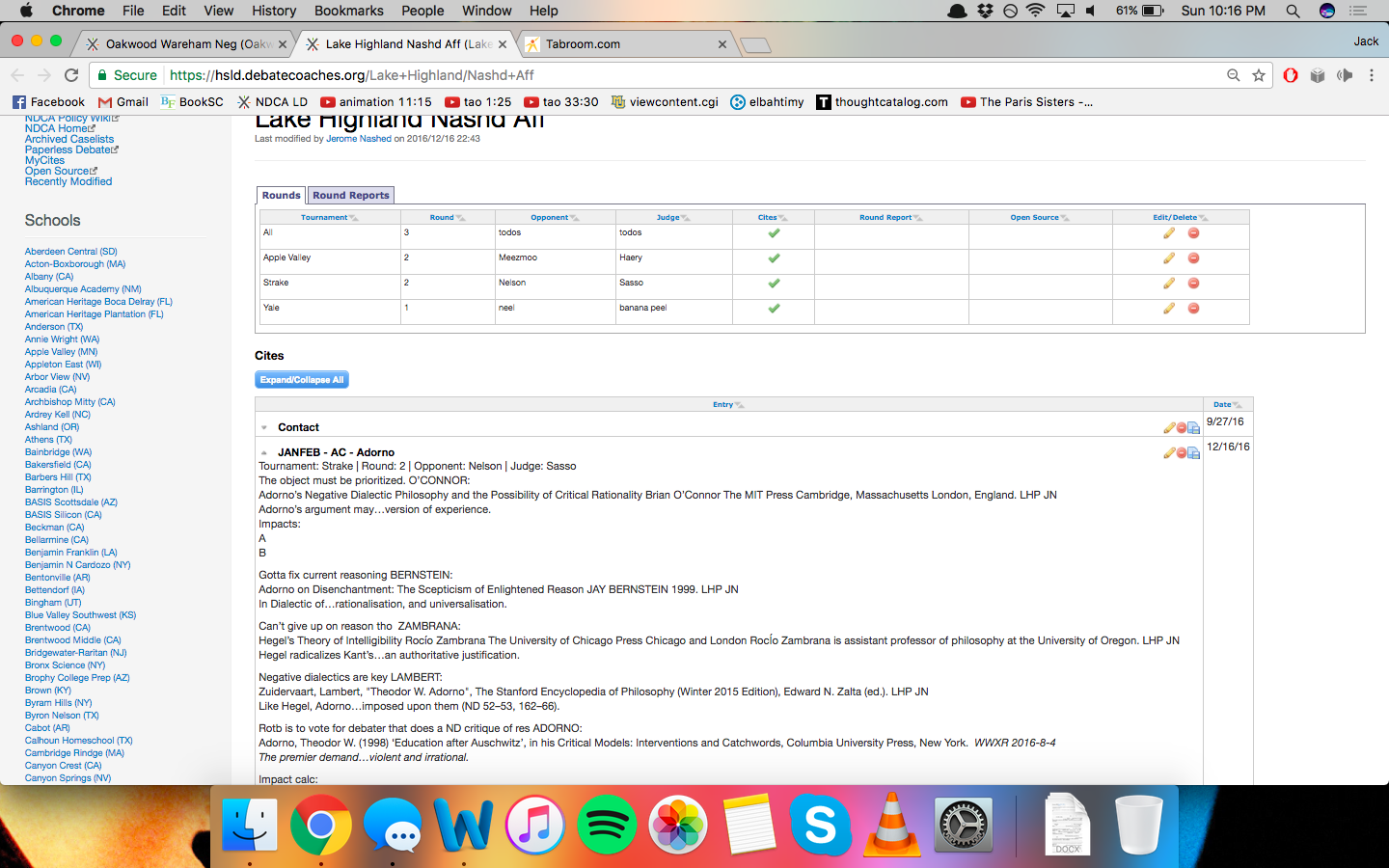
The object must be prioritized. O’CONNOR:

Gotta fix current reasoning BERNSTEIN:

Can’t give up on reason tho ZAMBRANA:

Negative dialectics are key LAMBERT:

Rotb is to vote for debater that does a ND critique of res ADORNO:



#### C. Standards:

#### 1. Quality engagement – not disclosing tags means I can’t prepare before the round against the case because I don’t understand what the argument is. I can’t be expected to find the source, where you cut it, and understand it completely because a) I have limited time, b) it’s unclear how you’ll spin it, and c) oftentimes your book sources aren’t available online, which means tags are key. This may seem like a nitpicky shell but it actually makes it close to impossible to prep out their position, especially when it involves complex philosophical arguments. Disclosing tags means I can understand your position and craft a strategy designed to maximally engage.

#### 2. Academic integrity – if you don’t disclose tags, I can’t check your evidence for powertagging and miscutting—prep time is not enough to understand the articles and their positions which means you’re more likely to get away with ev ethics violations. Impacts:

#### A. Outweighs other theory impacts—your role as an educator mandates you enforce academic rules just like a teacher would fail a plagiarized paper.

#### B. Fairness and education—no disclosure means people can spin and twist their evidence to say things it doesn’t say which gives you an advantage on the argument that shouldn’t exist. Also shuts off need for research because there’s no incentive to find good cards.

D. Voters. Fairness is a voter- debate’s a competitive activity so you can’t assess the better debater if the round is skewed. Education’s a voter- it’s why schools fund debate and provides portable skills for the real world.

Drop the debater: 1. Substance is permanently skewed- I’ve had to invest time and alter 1N strategy to check abuse, 2. Deterrence-a loss discourages future unfair practices for fear of losing the round.

Use competing interps: 1. Race to the bottom- people will be incentivized to barely meet the brightline while still being abusive. 2. Collapses to competing interps- you use offense/defense to determine whether reasonability is good which concedes the authority of competing interps. Saying reasonability is reasonable is circular.

No RVIs: 1. Topical clash- RVIs force the entire round into theory debates which moots substantive education about the topic.

### Extra-T

A. Interpretation: the aff must defend public colleges and universities in the United States.

B. Violation: the aff only defends public colleges

C. Standards:

1. Limits

2. Ground